

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	
v.)	Criminal No. 04-40002-NMG
)	
)	
JOSEPH DiFLUMERA)	
)	

**DEFENDANT’S ASSENTED TO-MOTION TO DISCHARGE
MORTGAGE SUBMITTED IN SUPPORT OF HIS RELEASE**

Defendant Joseph DiFlumera (“DiFlumera”) hereby moves the Court to enter an order discharging the mortgage submitted in support of his release. In support of this motion, DiFlumera states as follows:

1. On October 27, 2003, Magistrate Judge Swartwood issued an Order Setting Conditions of Release that included a condition that DiFlumera execute a bond secured by a \$50,000 mortgage.
2. On November 13, 2003, DiFlumera recorded a mortgage in the amount of \$50,000 on the property located at 172 Park View Drive, Feeding Hills, Massachusetts and in the name of Jeanette DiFlumera.
3. DiFlumera complied with the Order Setting Conditions of Release during the entirety of his release.
4. On January 17, 2006, DiFlumera reported to FMC Devens to begin serving his sentence and will remain in custody until his sentence is completed.
5. The Government hereby assents to this motion.
6. A copy of a sample Discharge of Mortgage is attached.

WHEREFORE, DiFlumera respectfully requests that the Court enter an order discharging the mortgage on 172 Park View Drive, Feeding Hills, Massachusetts, recorded on November 6, 2003, that was submitted in support of his release.

By his attorneys,

/s/ Paul V. Kelly
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Date: January 30, 2006